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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**
5

6 IN THE MATTER OF ENFORCEMENT)
7 ACTION AGAINST)

PDC CASE NO.: 02-277

8 KEVEN ROJECKI)

FINAL ORDER IMPOSING FINE

9 Respondent.)
_____)

10 **INTRODUCTION**

11 The Washington State Public Disclosure Commission (Commission) conducted an
12 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
13 January 22, 2002 with respect to the above-encaptioned matter. The Commission held the
14 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,
15 Washington. The Respondent appeared at the hearing, both personally and through his
16 attorney of record, James Oswald. The Staff appeared both personally and through their
17 attorney of record, Linda A. Dalton, Senior Assistant Attorney General.
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19 During the hearing, the Staff presented, for the Commission's consideration, the
20 Report of Investigation dated December 26, 2001, the Notice of Administrative Charges
21 issued on January 9, 2002, and the parties' Stipulation of Facts and Violation dated January
22 22, 2002. Specifically, the parties agreed that the Report of Investigation and Notice of
23 Administrative Charges contained accurate statements of fact. The Respondent further
24 stipulated that based upon the stipulated facts, he committed a single violation of RCW
25 42.17.130.
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2 Following the staff submission, the Commission heard testimony from the
3 Respondent concerning what, if any, penalty should be assessed for the violation. Finally,
4 the Commission considered oral argument as to the appropriate penalty for the admitted
5 violation.
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7 **ORDER**

8 Based on the record submitted in this matter, the Commission orders as follows:

- 9 1. That the Stipulation of Facts and Violation is accepted;
10 2. That the Respondent committed a single violation of RCW 42.17.130;
11 3. That a total civil penalty of \$1,000.00 is assessed against the Respondent, \$500.00 of
12 which is suspended on the condition that for a period of two years from the date of entry
13 of this Final Order, there are no further violations of any provision of Chapter 42.17
14 RCW.
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16 **RECONSIDERATION**

17 Any party may ask the Commission to reconsider this final order. Parties must
18 place their requests for reconsideration in writing, include the specific grounds or reasons
19 for the request, and deliver the request to the Public Disclosure Commission Office within
20 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant
21 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the
22 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the
23 Commission does not either dispose of the petition or serve the parties with written notice
24 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the
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1 Respondent is not required to ask the Public Disclosure Commission to reconsider the final
2 order before seeking judicial review by a superior court.

3 **APPEAL RIGHTS**

4 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
5 Commission is subject to judicial review under the Administrative Procedures Act, chapter
6 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
7 with the superior court in Thurston County or the petitioner's county of residence or
8 principal place of business. The petition for judicial review must be served on the Public
9 Disclosure Commission and any other parties within 30 days of the date that the Public
10 Disclosure Commission serves this final order on the parties.

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12 If reconsideration is properly sought, the petition for judicial review must be served
13 on the Public Disclosure Commission and any other parties within thirty (30) days after the
14 Commission acts on the petition for reconsideration. The Commission will seek to enforce
15 this final order in superior court under RCW 42.17.395-397, and recover legal costs and
16 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been
17 filed under chapter 34.05 RCW. This action will be taken without further order by the
18 Commission.
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21 DATED THIS __ day of January, 2002.

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23 FOR THE COMMISSION:

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26 VICKI RIPPIE, Executive Director

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